

REMARKS

Claims 1-16 are pending in this application. By this Amendment, the specification and claims 1, 6, 7, 9 and 15 have been amended. Applicants respectfully request reconsideration and prompt allowance of the pending claims at least in light of the following remarks.

Applicants gratefully acknowledge the Examiner's indication that claim 6 would be allowable if rewritten in independent form including all of the features of the base claim and any intervening claims. Thus, Applicants amend claim 6 to be in independent form and thus claim 6 should be allowable.

Claims 1-5, 7 and 9-15 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,227,732 to Higuchi et al. (hereinafter "Higuchi"). The rejection is respectfully traversed.

Higuchi fails to disclose that the first portion and the third portion are connected by the second portion that faces only the side face of the stack of sheets, as recited in claims 1, 7, 9, and 15. Therefore, it is respectfully submitted that claims 1, 7, 9 and 15 are patentable over Higuchi.

It is respectfully submitted that claims 2-5 and 10-14 are patentable at least in view of the patentability of claims 1 and 9 from which they respectively depend, as well as for the additional features they recite. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 1-5, 7 and 9-15 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 6,227,732 to Suzuki in view of Higuchi, and further in view of U.S. Patent No. 6,364,553 to McCue Jr. et al. (hereinafter "McCue"). The rejection is respectfully traversed.

In order to establish a *prima facie* case of obviousness, among other things, there must be some suggestion or motivation, either in the references themselves or in the knowledge

generally available to the skilled artisan, to modify the reference or combine reference teachings (MPEP §§ 2142, 2143).

In support of this rejection, the Office Action asserts that it would have been obvious to modify the devices of Suzuki and Higuchi to include the biasing member 80 of McCue "in order to align the sheets." However, by virtue of having both right and left side surfaces 51c, the sheets in the sheet package of Higuchi are pre-aligned (FIG. 1). Thus, it would be unnecessary to include a biasing member 80 in the combination of the Suzuki printer and Higuchi sheet package to bias the sheets. Accordingly, there is no motivation to include the biasing member 80 as alleged by the Office Action.

As there is no motivation to modify the devices of Suzuki and Higuchi to include the biasing member 80 of McCue, the Office Action has failed to establish a prima facie case of obviousness. Accordingly, the rejection is improper. Withdrawal of the rejection is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-16 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Amendment Transmittal

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